

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JOE HAND PROMOTIONS, INC.,

Plaintiff,

v.

NELLY R. LLANOS, et al.,

Defendants.

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Case No. 7:20-cv-06687-KMK

PROPOSED DEFAULT JUDGMENT

Upon consideration of Plaintiff's Motion for Final Default Judgment ("Motion"), the accompanying Memorandum of Points and Authorities in Support thereof and evidence, the pleadings on file and the relevant authorities, the Court concludes that Plaintiff has established that it is an aggrieved party under the Federal Communications Act, 47 U.S.C. §§ 553 and 605 and recognizes Plaintiff's election to seek statutory damages. The Court also concludes that it has jurisdiction over the subject matter and parties to this action; that Defendants, Nelly R. Llanos, individually, and as an officer, director, shareholder, member and/or principal of Restaurant Polleria El Tumi Inc. d/b/a Restaurant Polleria El Tumi, and Restaurant Polleria El Tumi Inc. d/b/a Restaurant Polleria El Tumi, (hereinafter "Defendants") failed to answer or otherwise defend as provided by the Federal Rules of Civil Procedure following proper service; that the allegations in Plaintiff's Original Complaint are deemed admitted against Defendants; that Defendants exhibited the closed circuit, *Floyd Mayweather, Jr. vs. Conor McGregor* broadcast, including all undercard bouts and commentary, on August 26, 2017, without authorization from Plaintiff; and that Defendants' actions were willful and for purposes of direct or indirect commercial advantage or private financial gain. Therefore, additional damages are warranted in this action.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That Judgment by default be entered in favor of Plaintiff and against Defendants, Nelly R. Llanos and Restaurant Polleria El Tumi Inc. d/b/a Restaurant Polleria El Tumi.
2. That Plaintiff recover statutory damages pursuant to 47 U.S.C. § 605(e)(3)(C)(i)(II) from Defendants in the amount of \$5,000.00.
3. That Plaintiff recover additional damages pursuant to 47 U.S.C. § 605(e)(3)(C)(ii) from Defendants in the amount of ~~\$20,000.00~~ \$10,000.
4. That Plaintiff recover attorneys' fees from Defendants and shall submit a Fee Application within 14 days of this order.
5. That Plaintiff recover costs in the amount of \$555.00 relating to the prosecution of this matter.
6. That Plaintiff recover, in the event Defendants fail to voluntarily pay the judgment, is entitled to reasonable attorneys' fees for post-trial and appellate services.
7. The Court also awards Plaintiff court costs and post-judgment interest on the amounts awarded herein at the statutory rate from the date of this Judgment until paid.
8. This judgment is a final judgment.

SO ORDERED.

3/24/21



Hon. Kenneth M. Karas, U.S.D.J.